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DOC #:

DATE FILED: 10/22/15

Honorable Colleen McMahon  
United States District Court  
For The Southern District Of New York  
500 Pearl Street  
Room 1640  
New York, New York 10007

October 21, 2015

MEMO ENDORSED

Re: Shanghai Weiyi International Trade Co., Ltd.  
v. Focus 2000, et al., Docket No. 15 Civ 03533 (CM)(JCF)

Dear Judge McMahon:

We represent Defendants Focus 2000, WR 9000 and Sunny Lam in the above captioned action now pending before your Honor.

At the conference held on October 16, 2015 before your Honor in this case, we understood your Honor to suggest that in view of the fact that the essential nature of the above named case was in contract (action for goods sold and delivered), allegations made by the Plaintiff in its Amended Complaint relating firstly to any relationship between Defendants and "Six Chinese Manufacturers" and secondly to any relationship between the Defendants and "Eternal Fortune Fashions, LLC" were too tangential to the instant case to merit or require discovery either because none of these entities was the subject of apparel delivered by the Plaintiff or because, in the case of Eternal Fortune Fashions, LLC, the Plaintiff's allegations raised issues which are fundamental to the action — Focus 2000 Corp. v. Eternal Fortune Fashion LLC and Wu & Kao, PLLC (Index #650619/2015) — which has been pending before Hon. Robert Reed in Supreme Court, New York County. Since however, the Plaintiff's fraud claim still exists we are uncertain as to whether or not we must produce as part of our F.R.C.P. 26 production documents and information relating to the "Six Chinese Manufacturers" and/or "Eternal Fortune Fashions, LLC."

We respectfully ask therefore for an order of reference to Magistrate Judge James C. Francis IV to obtain clarification and direction on this point.

MSR:sr  
cc. Wu & Kao, PLLC  
James Montgomery, Esq.

Yours respectfully,  
*Martin S. Rapaport*  
Martin S. Rapaport

10/22/2015

I have not dismissed any claims, so the answer is YES